Criminal Injuries Compensation Board

2011-2012 Annual Report

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CHAIR'S MESSAGE

Criminal Injuries Compensation Board's

37th Annual Report

In fiscal 2011-12, the Board focussed on consolidating the changes we have implemented in recent years and on generating new ideas for further improving our services. We remain committed to the goal of establishing a system whereby the majority of applications can be processed within a 12-month timeline. Over the course of the year, we processed 4,241 applications, held 3,944 hearings and awarded $36.2 million to victims. On average, it took 16.3 months to complete claims filed within the two-year limitation period, a 15% reduction over the previous year. For claims filed beyond the two-year limitation period, average processing time was 18.8 months, a 22% reduction from 2010-11. For the month of March 2012, average processing times for regular claims and extension claims were 14.7 months and 16 months, respectively.

These results are exemplary in their own right and close to our 12-month goal. What makes them even more remarkable is that they were accomplished with fewer staff than the previous year. The Board has returned to its permanent staff complement of 50 FTEs. The assistance of extra personnel we enjoyed between 2007-08 and 2009-10 is no longer available. We are grateful to those employees who joined us temporarily to help with the significant backlog the Board faced. And we are grateful to the Ministry of the Attorney General for ensuring we had the resources available to address that backlog.

Like all publicly funded organizations, a key task at hand is to achieve more with less; more service to the public at less cost to the public. As part of our transformation, we are building a culture of continuous improvement that is dedicated to doing just that. Our performance results demonstrate that a "can do" approach can dramatically improve the service we provide to victims of crime. By reducing the time and effort required to complete applications, we serve applicants faster and can serve more victims.

The Board's mission is to respond effectively to the diverse needs of victims of violent crime in Ontario with accessible, fair, respectful and timely assessments of compensation claims. Some elements of that mission are easier to measure than others. Timely claims processing and adjudication are good quantitative indicators of performance and are our current focus. That said, we have not forgotten the need to monitor other factors that contribute to excellence in service to victims such as clear, respectful communications and adapting our processes to fit the diverse needs of those we serve.

We are interested in qualitative measures and, along with many organizations in the social justice sector, seek to identify the best methods of measuring those qualitative elements. We are reflecting on which performance measures could help us continue to improve our service within the parameters of the law.

The following are highlights of our activities in 2011-12.

Expanding our Triage Claims Processing Model

In April 2011, we expanded our triage pilot project to add two new regional teams. Now all applications received by the Board are processed through teams. The increased collaboration amongst Board personnel has produced further innovative thinking and has generated more ideas for process improvement.

Over the course of the year, it was necessary to make adjustments to the teams to accommodate certain staff departures and trends in volumes of cases. We are confident that, as we learn more about operating in this new way, the need to transfer staff from one team to another will diminish. Consistency in team membership is an important factor in creating the culture and spirit of mutual support needed to fully maximize the triage approach.

The efficacy of the triage model is clearly evidenced in the production achieved. For the third year in a row, the number of applications the Board heard outnumbered the applications received.

We are pleased to report that 23.8% of the cases completed within the year were processed in less than 12 months from the time that the application was received.

Oral Decisions Pilot Project

We also continued to develop our oral decision pilot project by increasing the number of Board members who are authorized to give reasons for their decisions orally. This initiative was started on a pilot basis in January 2011 with a small number of Board members. The response to the initiative from victims and their representatives has been overwhelmingly positive. Hence, we were encouraged to expand the pilot.

Briefly, in appropriate cases, Board members conducting oral hearings will recess after all the testimony has been given to deliberate and come to their decision. Then, they reconvene the proceeding and advise the parties verbally of their decision and the reasons for it. The parties are entitled to request written reasons within 14 days of the hearing. If no request is received, written confirmation of the decision and a cheque, if awarded, is sent out. If written reasons are requested, a full written order is prepared and sent out.

There are many benefits to giving decisions orally. Many applicants have indicated that it helps them bring closure to the process since they learn the outcome on the same day as their hearing. Further, it usually results in them receiving their award faster as they do not have to wait for the panel members to write detailed reasons for their decision. For the Board, it reduces some of the time and effort required to complete written orders. This allows us to hear more cases than we might otherwise be able to.

Further, it helps reduce the time, cost and environmental impact of printing and mailing lengthy orders.

In September 2011, we expanded the pilot project by adding several Board members to it. As a result, approximately 13% of cases heard in 2011-12 resulted in an oral decision. We are satisfied that it is beneficial to finalize the pilot project and incorporate oral decisions into the Board's work. During 2012-13 we will be refining the process so that it can be integrated permanently into our adjudication system.

Developing Additional Governance Tools

With the passage of the *Adjudicative Tribunals Accountability, Governance and Appointments Act* in 2009, tribunals such as the Board are required to develop and maintain several documents designed to assist us in ensuring that our organizations are effectively governed. Specifically, it requires us to have the following documents approved by the Minister:

Mission and Mandate Statement
Consultation Policy
Service Standard Policy
Ethics Plan
Member Accountability Framework
Memorandum of Understanding
Business Plan

While the Board already possessed and utilized most of these governance tools, the statutory requirement for all adjudicative tribunals to generate them and seek ministerial approval created an opportunity to reflect on what we already had and clarify what other accountability instruments we needed.

Throughout the year, we reviewed our existing documents and prepared some new ones. With the assistance of the Ministry of the Attorney General, we were able to review some of the documents other tribunals developed and adopt them to our needs where feasible. Over the coming years, we will continue to utilize these documents and refine them where necessary. We anticipate that these documents will be publicly available shortly.

Collaborating on the Financial Assistance for Family Members of Homicide Victims Program

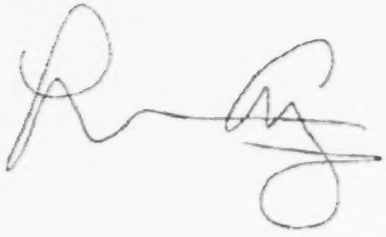
On November 7, 2011, the Ministry of the Attorney General commenced a new program to provide additional financial assistance to parents and spouses of homicide victims. This program is administered by the Victims and Vulnerable Persons Division (VVPD) of the Ministry. The Board has assisted with the program in two ways. First, we have helped share information about the program with applicants before the Board who may also be eligible for that program. Not only have we sought to communicate with family members who have active applications with us but we also conducted a search of closed files and sent information to individuals who may be eligible. Secondly, pursuant to a Memorandum of Understanding between the Board and VVPD with respect to information sharing, we provide the program with relevant information to assist it in responding to applications it receives for financial assistance.

On the Horizon

We are hopeful that 2012-13 will be as successful as recent years in addressing applications for compensation in a timely and user-friendly way. We will continue to

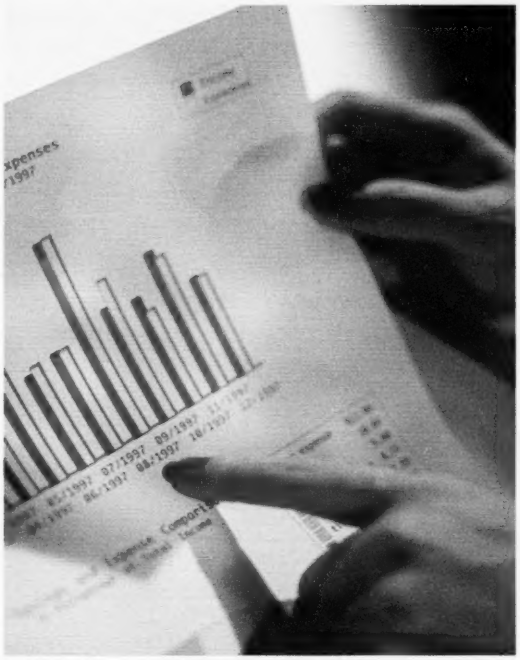
consolidate recent gains and identify other methods of improving service. We also hope to expand our outreach this year.

A number of substantive issues associated with meeting the financial needs of victims of crime remain outstanding and are beyond the control of the Board. The *Compensation for Victims of Crime Act* (CVCA), now 41 years old, provides the parameters for which victims are eligible to receive compensation, what is compensable, and under what circumstances. Over the course of these past four decades, society's understanding of the needs of victims of crime has grown significantly. Laws protecting victims and giving them more rights have been introduced provincially, nationally and internationally. Many new programs for victims have emerged. The unique evils of certain crimes such as domestic violence and child sexual abuse are better understood and in the public's awareness. So too is the agony of those whose loved ones have been taken from them by homicide. It is an appropriate time for the provincial government to consider whether the *Compensation for Victims of Crime Act* should be modernized so it better addresses the needs and expectations of victims.



Maureen Armstrong
Chair,
Criminal Injuries Compensation Board

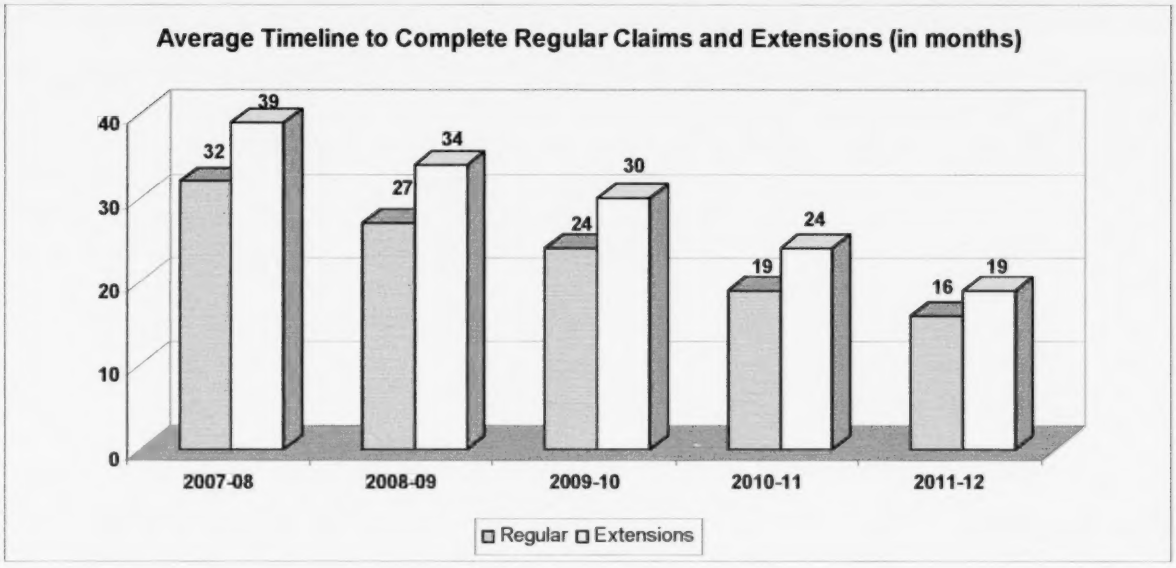
PERFORMANCE SUMMARY



The Board continued to achieve significant improvements in claims processing, scheduling of hearings and the completion of awards in order to meet its strategic goals to provide more timely and efficient response and payments of compensation awards to victims of crime. Overall for 2011-12, we exceeded operational performance targets to reduce the average timeline from receipt of an application to the release of a decision. Whereas the Board had a performance target of an average of 18 months for completing claims filed within the two-year limitation period, actual performance achieved was 16.3 months. Similarly, the completion target for claims filed after the two-year limitation period was 23 months but actual results for the year was 18.8 months. These figures represent a reduction of 15% and 18%, respectively, over the previous fiscal year and a 9% and 19% improvement over our own performance goals.

The innovations that lead to these achievements were made possible through a collaborative, team-based approach by staff and members of the Board in expanding upon the Regional Triage Model, as well as the development of new procedures and tools with a focus on a continual improvement in services and operational productivity. It is expected that, over the longer term, these improvements will allow the Board to achieve a 12-month claims process.

Over the last five-year period, the average timeline to complete regular claims has been reduced significantly from 32 months in 2007-08 to 16 months in 2011-12, representing a decrease in processing time of 50%. Similar reductions were achieved for files with extensions as illustrated in the following chart.



Over the course of fiscal 2011-12, the average timelines for completing applications continued its downward trend. The average timeline for the fourth quarter was 15.3 months for regular claims; 17.6 months for extensions and 16.1 months overall. This represents a decrease from Q1 of 8%, 11% and 8% respectively.

CICB Operational Performance Analysis for 2011-2012				
2011-2012		**Regular**	**Extensions**	**Overall**
Q1	(Apr-Jun)	16.6 months	19.7 months	17.5 months
Q2	(Jul-Sep)	17.1 months	19.9 months	17.8 months
Q3	(Oct-Dec)	16.6 months	18.8 months	17.3 months
Q4	(Jan-Mar)	15.3 months	17.6 months	16.1 months

KEY PERFORMANCE DATA

	2008-09	2009-10	2010-11	2011-12
Claims Received	4,026	4,031	3,667*	3,377*
Number of Hearings	3,859	3,792	3,948	3,944
Number of Files Completed	3,505	3,548	3,593	4,241
Average Award	$10,085	$7,798	$7,303 **	$8,078**
Total Number of Claims with Monthly Periodic Payment Awards	297	282	245	238
Average Time (days) from Application to Hearing a) Where Claim Filed within Two Year Statutory Limitation Period	680	680	459	414
b) Where Claim Filed Beyond Two Year Limitation Period	881	843	565	488
Average Time (days) from Application to Award a) Where Claim Filed within Two Year Statutory Limitation Period	812	726	582	497
b) Where Claim Filed Beyond Two Year Limitation Period	1,016	888	704	573
Average time (days) between Hearing and Completion of Order	37	32	28	20

NOTES:

* On July 1st, 2010, CICB introduced a new on-line application form which allows applicants to apply for multiple matters in one application form whereas, in the past, they would have been required to file more than one application. This new procedure has reduced the number of claims received in 2010-11 and 2011-12.

**The average award was $8,791 for claims for which an award was granted. The average award for all claims (including denials) was $8,078.

HEARINGS

A CICB hearing can be conducted either in writing or orally. Oral hearings are currently held in 19 locations across the province. The location selected is primarily based on where the claimant resides but may also be influenced by the urgency of the hearing or other needs. A breakdown of hearings by location is provided below.

Hearings Location Breakdown

Region	Location	% of Oral Hearings
Toronto*	Toronto	37.7
East & Central East	Belleville, Cornwall, Kingston, Ottawa, Orillia, and Peterborough	25.6
West & Central West	Kitchener, London, Windsor, Hamilton, and St. Catharines	26.1
North West & North East	Kenora, North Bay, Sault Ste. Marie, Sioux Lookout, Sudbury, Thunder Bay, and Timmins	10.6

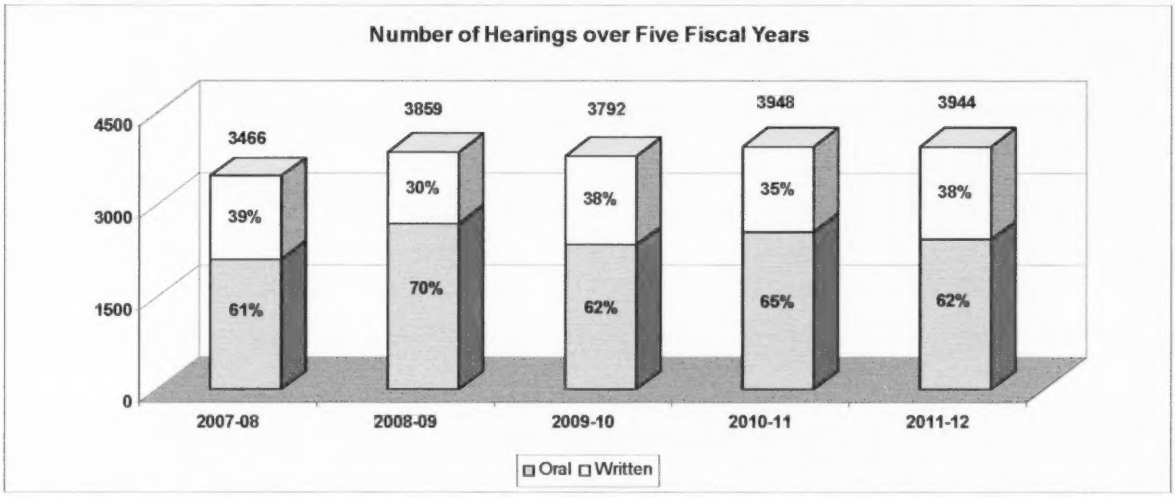
* The Regional Triage Team Pilot Project defines Toronto by the City of Toronto's official boundaries. However, the Board utilizes its permanent hearing rooms at 250 Dundas St W. as much as possible so many claims that originate from other regions but are in the Greater Toronto Area (e.g. Brampton, Newmarket, etc.) are heard there.

CICB Operational Performance (# of Hearings) over Five Fiscal Years

The following chart shows the number and type of hearings held in 2011-12, with comparative results for the previous five years. The ratio of written to oral hearings was similar with the previous year. In 2011-12, approximately 2/3 of hearings were conducted orally and 1/3 were conducted in writing.

The Board continues to pursue all options for hearings (written, electronic and oral) to reduce delay. Generally, the Board elects which mode of hearing will be held. However, applicants have the option of choosing an oral hearing if they wish.

In 2011-12, the total number of hearing completed by the Board was 3,944, of which 2,443 were oral hearings and 1,501 were written hearings.



COMPENSATION AWARDS

The Board may award compensation as a lump sum or periodic award. Lump sum awards represent one-time payments made to an eligible claimant. These include those awarded under Section 14 (interim awards), Section 25 (variation awards) and Section 22 (costs), as well as payments for medical reports used in support of the claim.

Periodic payments are provided monthly. Some victims with particularly serious injuries may receive periodic payments for years, or even decades, up to a maximum of $365,000.

The average award in 2011-12 was $8,078, an 11% increase from the average in 2010-11. The average award is calculated for all claims including those that were denied. If denials are excluded from the calculation, the average award was $8,791. This represents a 5% increase over 2010-11.

Both the 2010-11 and 2011-12 figures are consistent with the long term trend in average awards. The higher averages recorded for fiscal 2007-08 and 2008-09 were anomalous.

Overall, the Board paid out a total of $36.2 million in awards in 2011-12, a 17.2% increase over 2010-11. This is primarily due to an increase in the number of files heard and completed within a 12-month period resulting in more timely and faster award payments to claimants.

The following table shows the Board's compensation awards over the past 15 fiscal years:

CICB Number of Hearings and Award Totals

Fiscal Year	# of Hearings	Award Totals
1997-98	2,905	$14.4 M
1998-99	2,390	$12.5 M
1999-00	2,205	$13.7 M
2000-01	2,498	$16.7 M
2001-02	2,134	$13.8 M
2002-03	1,716	$17.6 M
2003-04	2,424	$17.6 M
2004-05	2,654	$21.0 M
2005-06	2,321	$18.3 M
2006-07	2,425	$22.3 M
2007-08	3,466	$31.0 M
2008-09	3,859	$43.7 M
2009-10	3,792	$32.1 M
2010-11	3,948	$30.9 M
2011-12	3,944	$36.2 M
TOTALS	**42,676**	**$ 341.8 M**
Average	**2,845**	**$ 22.8 M**

Compensation may be awarded for:

- expenses actually and reasonably incurred or to be incurred as a result of the victim's injury or death;
- pecuniary loss incurred by the victim as a result of total or partial disability affecting the victim's capacity for work (e.g. loss of income);
- pecuniary loss incurred by dependants as a result of the victim's death (e.g. loss of financial support);
- pain and suffering;
- support of a child born as a result of rape; and
- other pecuniary loss resulting from the victim's injury and any expense that, in the opinion of the Board, it is reasonable to incur.

The following chart offers a comparison of lump sum compensation awards to victims of violent crime over a period of three years.

Total lump sum awards for pain and suffering were $5 million higher in 2011-12 than in the two prior years. The increase in the amount paid out is a direct result of a higher percentage of oral decisions being given resulting in faster orders rendered and award payments issued.

LUMP SUM AWARDS BY TYPE OF BENEFIT

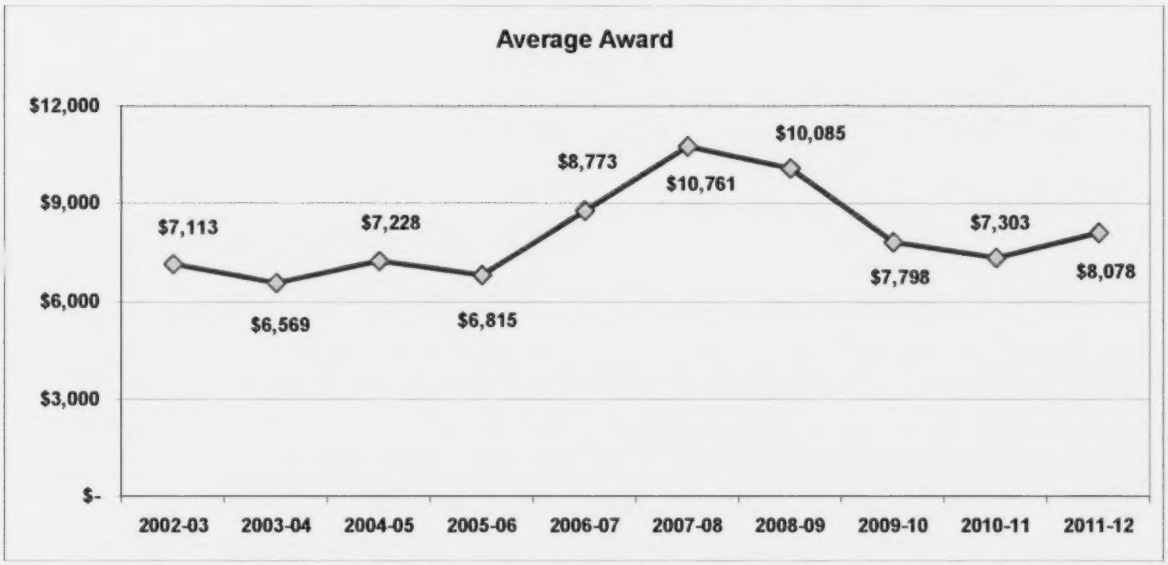
AWARDS ($000's)	2009-10	2010-11	2011-12
Pain and Suffering	$25,982.6	$25,246.0	$ 30,222.6
Loss of Wages	$754.1	$619.8	$ 556.1
Medical Expenses [1]	$1,103.8	$1,157.6	$ 1,244.5
Funeral Expenses	$394.5	$325.9	$ 371.8
Legal Expenses Associated with Application	$70.4	$82.0	$ 82.0
Other Pecuniary Loss	$189.9	$253.0	$ 217.3
Other [2]	$1,037.1	$1,044.2	$ 1,205.5
Total	**$29,532.4**	**$28,728.5**	**$ 33,899.8**

NOTES:

1. Medical Expenses include dental expenses, counselling fees and ambulance fees, as well as the costs associated with obtaining medical reports in support of the application.
2. "Other" includes all Section 14 interim awards, Section 25 awards and the costs associated with obtaining reports in support of a Section 25 variation request.

The following graph outlines the trend in average awards over the past ten years:

Average Award -Ten Year Trend

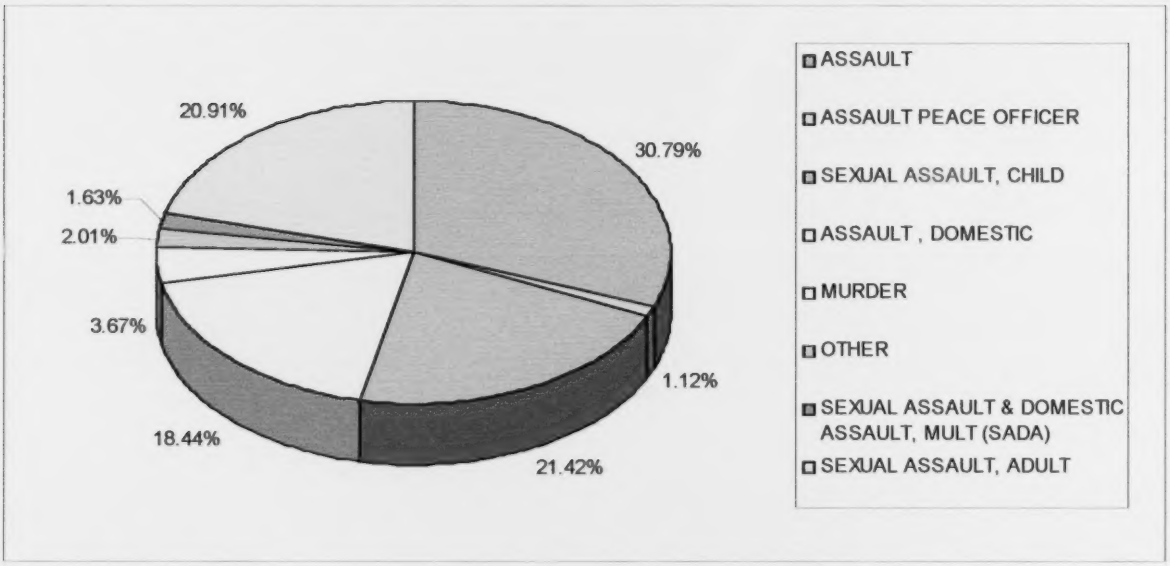


The Board has reviewed and updated its approach to capturing data about Criminal Code offence types in order to:

- assist with issue identification and claims processing;
- better assess performance issues based on the nature of the violent crime;
- develop more accurate information with which to inform the public.

There have been no material changes in the types of offence claims awarded in the past several years. However, we have made some changes to the categorization of offence types to better reflect how these offences are understood. Specifically, the previous category of "Sexual Assault, Historical", which included all sexual assault claims filed beyond the two year limitation period, has been eliminated. Claims that were previously captured under this category are now included under categories of either sexual assault on an adult or sexual assault on a child. Further, we have added a category of "Sexual Assault and Domestic Assault, Multiple" to reflect cases of both sexual abuse and domestic violence. These new offence categories reflect as much as possible the types of claims described in the new application forms introduced in January 2010.

LUMP SUM AWARDS BY TYPE OF OFFENCE



NOTES:
"Other" includes arson, robbery, kidnapping and criminal harassment

FINANCIAL SUMMARY

The Government of Ontario provides funding to the Board for the payment of compensation awards and operating expenses on the accrual basis of accounting. A comparison of operating expenses and transfer payments for the fiscal years 2010-11 and 2011-12 is provided in the table below.

Total 2011-12 operating expenses amounted to $7.11 million compared to $7.67 million in 2010-11. This reflects a decrease in salaries and wages primarily due to staff vacancies and the reduction of staff approved on a temporary basis to eliminate the caseload backlog. Other expenses remained consistent with prior year spending levels.

"Transfer Payments" refers to compensation awards that go directly to victims. Each year, the Board is allocated funding to allow for the payment of new cases that will not actually be paid out until future years as well as to cover awards paid out for new cases received and awarded within the current year. In addition, the annual funding covers periodic payments and medical expenses paid directly to service providers over the course of a year. The amount for the future year's award obligations is added to the accrued liability account to be paid out once the case is heard and an order awarded by the Board. For 2011-12, the total transfer payments allocated amounted to $23.02 million of which $15.87 million was added to the accrued liability account for new cases to be paid in future years.

Comparative Financial Summary – Accrual Basis

	Fiscal Year (April 1 – March 31)	
Account Item	**2010-11 Actuals**	**2011-12 Actuals**
Salaries and Wages	$3,994,331	$3,397,544
Employee Benefits	$619,457	$609,718
Transportation and Communications	$461,853	$446,715
Services	$2,544,022	$2,609,997
Supplies and Equipment	$48,983	$49,395
Transfer Payments	$17,734,719	$23,023,088
Total	$25,403,366	$30,136,457

The actual amount of transfer payment dollars received in 2011-12 was $23 million. The increase in transfer payments to the Board reflects higher award payments for claims received and paid within the current period and lower adjustments for periodic files ended or closed within the fiscal period. The actual amount spent on awards to victims in 2011-12 was $36.2 million.

Separate accrued liability accounts are maintained for the Board's future payment obligations for Lump Sum Awards and Periodic Payments. Liability account balances as of the years that ended March 31, 2011 and March 31, 2012 are provided in the table below.

The 2011-12 year end balance of the Board's accrued liability account for lump sum awards is $17.82 million. The liability balance for prior year cases has come down significantly as cases are being heard and compensation awarded within a shorter time period. The liability amount for new cases is also lower due to a greater percentage of new cases being heard and awarded within the current year. The accrued liability obligation is calculated based on a forecast model developed by an independent third party. The Board plans to conduct a review of the model in order to validate the methodology and assumptions based on the most recent claims processing and average awards experience.

The periodic payments accrued liability balance as at March 31, 2012 is $23.39 million which is calculated as the 20-year liability accrual for periodic payment obligations from April 1, 2012 to March 31, 2032.

ACCRUED LIABILITY ACCOUNTS

Lump Sum Awards	**2010-11 Year End Balance**	**2011-12 Year End Balance**
Prior Years Cases Accrued Liability	$13,369,307	$1,954,611
New Cases Accrued Liability	$17,744,548	$15,865,300
All Cases Accrued Liability	$31,113,855	$17,819,911
Periodic Payments 20 Years Accrued Liability	$22,939,651	$23,390,682

PROGRAM DESCRIPTION

Overview

The Criminal Injuries Compensation Board is a quasi-judicial administrative tribunal that provides compensation to victims of violent crime occurring in the Province of Ontario and other eligible applicants. The Board is governed by the *Compensation for Victims of Crime Act* and it follows the rules and procedures set out in the *Statutory Powers Procedure Act*. It is subject to the *Freedom of Information and Protection of Privacy Act*.

Applications may be made by or on behalf of anyone who was injured as a result of a violent crime in the Province of Ontario. Where a homicide has occurred, any family members that were dependent on the deceased person or who paid expenses as a result of the death can also apply for compensation. Applicants must prove on a balance of probabilities that a violent criminal act under the *Criminal Code* took place and that this crime resulted in an injury or death. Where a person was criminally convicted of a crime, the conviction is deemed conclusive evidence that the offence was committed.

An application must be filed with the Board within two years from the date of the incident. The Board has the discretion to extend the time limit where it is warranted. An extension request must be made and approved in order to move the claim forward. Several factors are considered when reviewing an extension request, including the length and the reasons for the delay, and whether adequate evidence would be available to support the claim.

In assessing whether to give compensation and the amount to award, the Board must consider all the relevant circumstances surrounding the incident including whether the victim's behaviour caused or contributed to the injury or death, whether the victim reported the incident promptly to the police and cooperated with any investigation, and if the victim has received compensation or benefits from some other source.

Who is Eligible for Compensation?

- Individuals who have been injured as a result of a crime of violence committed in the Province of Ontario. Some examples of violent crimes include homicide, attempted murder, assault, sexual assault and the dangerous use of a firearm.
- Individuals who are responsible for the care of a victim of a violent crime and who have incurred expenses or lost income as a result of the victim's injury or death.
- Individuals who are the dependants of a homicide victim.
- Peace officers injured while attempting to arrest someone for an offence against a person, or, individuals injured while trying to prevent a crime against a person or while helping a police officer make an arrest.

Compensation may be awarded for:

- Expenses actually and reasonably incurred or to be incurred as a result of the victim's injury or death, including emergency medical, dental or counselling expenses, funeral expenses and support.
- Loss of wages generally to a maximum of $250 per week or $1,000 per month, as a consequence of total or partial disability affecting the victim's capacity to work.
- Pecuniary loss to the dependants of a deceased victim.
- Pain and suffering.
- Support of a child born as a result of a sexual assault.
- Bereavement counselling for the immediate family members of a deceased victim.

The Board does not award compensation for the following:

- Damaged or stolen property.
- An accident involving a motor vehicle (i.e. drunk driving or careless driving).
- Legal fees for criminal court and/or civil suits.
- The distress of attending criminal court.
- Workplace accidents (in these cases, a claim should be filed with the Workplace Safety and Insurance Board).
- Grief and sorrow experienced by relatives or friends of a deceased victim.

The following types of awards can be made:

Lump Sum Awards

The Board may award up to a maximum amount of $25,000 in respect of the injury or death of one victim. If more than one person is affected by an occurrence, the total award to all applicants in respect of any one occurrence cannot exceed $150,000. Lump sum awards are the awards most frequently issued by the Board.

Periodic Awards (Monthly Payments)

Where the Board is satisfied there is an on-going financial loss (e.g. lost wages as a result of permanent injury), it can award up to a maximum of $1,000 per month to all applicants in respect of any one occurrence. Total periodic payments in respect of any one occurrence cannot exceed $365,000. If both a lump sum and a periodic award are made, the amount of the lump sum component cannot exceed $12,500. Periodic awards are reviewed regularly and may cease at a future date.

Interim Awards (Section 14 of the Compensation for Victims of Crime Act)

Where there is an immediate need for compensation to cover medical expenses, support and/or funeral expenses, the Board may authorize those expenses to be paid in advance of the hearing. An interim award can only be provided where the Board has sufficient evidence that compensation will likely be granted following the hearing.

Variation Awards (Section 25 of the Compensation for Victims of Crime Act)

After a hearing, the Board may vary an order for payment of compensation in certain instances, such as where there has been a change in circumstances. A variation can only be granted if an award was made initially.

THE PROCESS

Filing a Claim

Claim packages are available through the Criminal Injuries Compensation Board website at www.cicb.gov.on.ca, or, can be requested by telephone at toll-free: 1-800-372-7463, locally (GTA): 416-326-2900, or, in writing to 439 University Avenue, 4th Floor, Toronto, Ontario M5G 1Y8.

Information Gathering Stage

In order to determine whether to award compensation to an applicant, the Board requires sufficient evidence that a crime of violence occurred and that injury was caused as a result of the said crime. The circumstances surrounding the incident as well as the nature of the injury are also relevant in determining whether to award compensation and/or the amount of compensation. Board staff assists with identifying information that is required to support the claim, such as hospital, medical, dental, therapy and/or court reports directly related to the incident. If the incident was reported to the police, the Board will contact the police service involved and request a written report. Appropriate documentation, such as receipts and employment/income information, is requested where expenses and wage loss are being claimed.

The Hearing

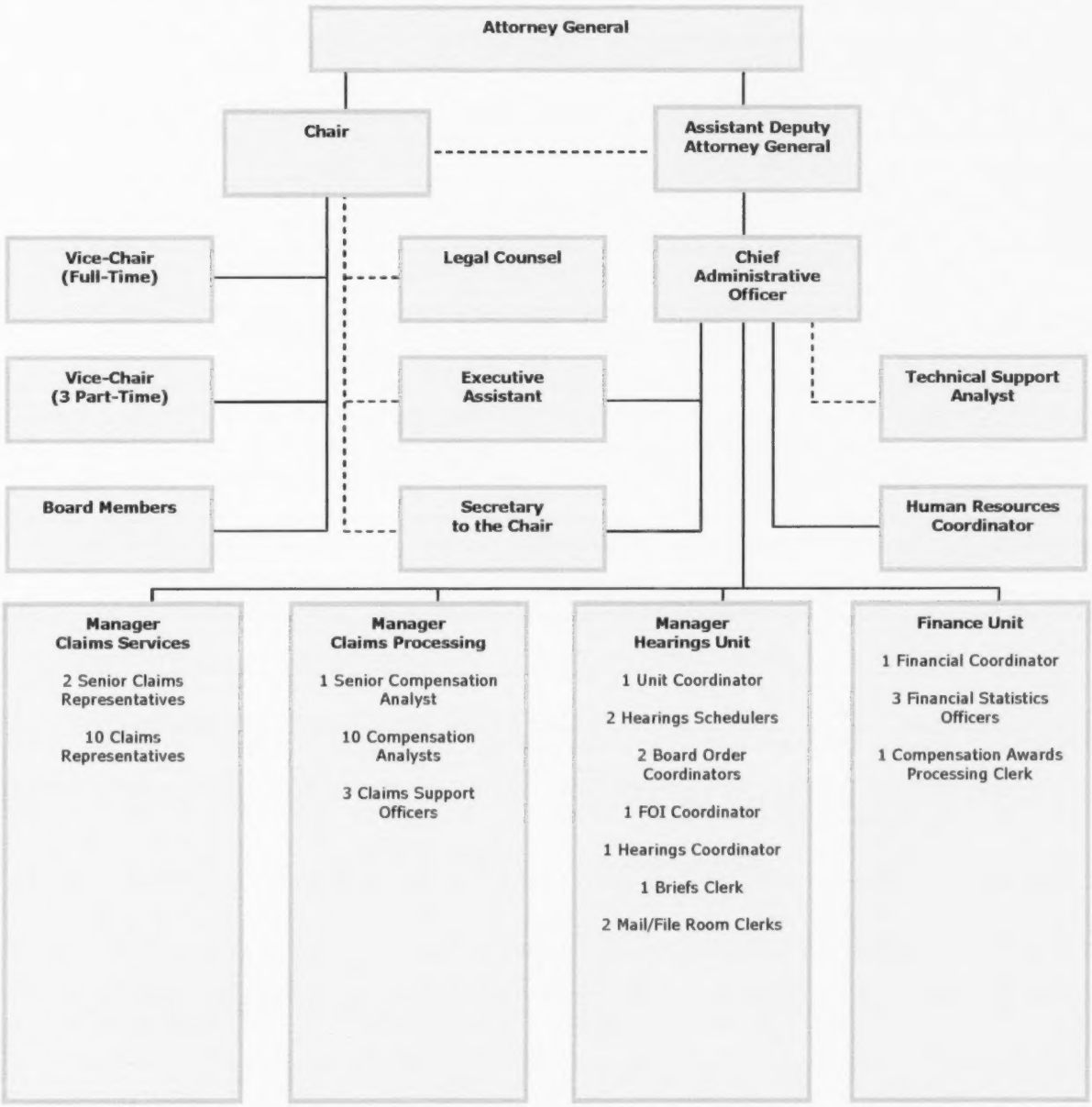
Once all of the relevant documentation is provided, Board members decide on the application after holding either an oral or written hearing. During an oral hearing, parties and witnesses give sworn testimony either in person or sometimes by telephone or by video. During a written hearing, the Board members make a decision based on the documents and information available on the file. The applicant, the offender and the Attorney General are all parties to the hearing and may provide documentation and/or attend an oral hearing.

Once the hearing is complete, the Board generally prepares a written decision and sends it to the parties. If the Board has decided to award compensation to the applicant, a cheque is sent to him or her along with the decision. Where possible, applicants attending an oral hearing are now provided with an immediate decision rendered orally by a Board member. In such cases, where an award is made, a brief decision is sent along with the award cheque.

After the Hearing

If an applicant does not agree with the Board's order and that decision was made by a single Board member, the applicant can ask that the matter be reviewed by two or more Board members by making a request to the Board within 15 days of receiving the original decision. If the original decision was made by more than one Board member, it can only be appealed on a question of law to the Superior Court of Justice (Divisional Court) within 30 days of receiving the order.

ORGANIZATIONAL CHART



BOARD MEMBERS

The composition of the Board is intended to reflect the diversity of Ontario's population and its various regions. The following individuals were members with the term reflected as of March 31, 2012.

Chair	First Appointment	Current Appointment
Maureen Armstrong	August 21, 2008	August 20, 2011 to August 20, 2013
Vice Chairs	**First Appointment**	**Current Appointment**
Paula Klein	March 18, 1993	November 20, 2011 to November 20, 2012
Al Spadaccini	June 30, 2006	March 9, 2012 to March 9, 2015
Anne Stanfield	November 1, 1973	Open-ended
Maria Tassou	June 6, 2007	May 26, 2011 to May 26, 2014

Board Members	First Appointment	Current Appointment
M Saleem Akhtar	September 8, 2009	September 8, 2011 to September 7, 2012
Lisa Barazzutti	October 20, 2010	October 20, 2010 to October 19, 2012
George Berrigan	February 7, 2007	February 7, 2012 to February 6, 2017
Marion Boyd	October 8, 1999	October 8, 2009 to October 7, 2012
John Brothers	June 1, 2005	June 1, 2008 to May 31, 2013
Nicole Chenier-Cullen	September 8, 2009	September 8, 2011 to September 7, 2012
Emily Crocco	December 3, 2008	December 3, 2010 to December 2, 2013
Roderick Flynn	June 6, 2007	June 6, 2009 to June 5, 2012
Keith Forde	October 20, 2010	October 20, 2010 to October 19, 2012
Gemma Harmison	September 3, 2000	March 6, 2011 to March 5, 2016
Jacqueline Harper	October 20, 2010	October 20, 2010 to October 19, 2012
Jo-Anne Hughes	October 22, 2008	October 22, 2010 to October 21, 2013
Christie Jefferson	June 2, 2010	June 2, 2010 to June 1, 2012
Wendy King	October 20, 2010	October 20, 2010 to October 19, 2012
Kirsten Kurzuk	December 3, 2008	December 3, 2010 to December 2, 2013

Susan Lee	April 13, 2011	April 13, 2011 to April 12, 2013
William Liber	March 11, 1996	March 11, 2012 to July 10, 2012
Janet MacEachen	September 8, 2009	September 8, 2011 to September 7, 2012
Ronaq Massey	April 29, 1999	April 29, 2007 to August 28, 2012
Charlotte McQuade	September 8, 2009	September 8, 2011 to September 7, 2012
Willson McTavish	February 3, 2003	February 3, 2012 to June 2, 2012
Jay Meunier	September 8, 2009	September 8, 2011 to September 7, 2012
Virginia Morra	June 6, 2007	June 6, 2012 to June 5, 2017
Aggrey Msosa	September 8, 2009	September 8, 2011 to September 7, 2011
Stanley Newman	June 1, 2005	June 1, 2011 to May 31, 2013
John R. Radmore	February 18, 2004	February 18, 2012 to February 17, 2017
Veda Rangan	September 8, 2009	September 8, 2011 to September 7, 2012
Kabir Ravindra	June 6, 2007	June 6, 2012 to June 5, 2017
Sharon A. Saunders	October 9, 2002	October 9, 2009 to October 8, 2013
Linda Spears	June 13, 2007	June 13, 2011 to June 12, 2016
Dawn Sullivan	February 7, 2007	February 7, 2012 to February 6, 2017

Leni Untinen	February 7, 2007	February 7, 2012 to February 6, 2017
Dawn Wickett	June 6, 2007	June 6, 2012 to June 5, 2017

CICB BOARD SUMMARIES

Annually, the Board outlines its application of the *Compensation for Victims of Crime Act*, by preparing a summary of a sample of orders. The following claims and resulting orders illustrate some of the issues considered when rendering decisions and the associated awards given. In an effort to protect the privacy of victims who courageously and candidly disclose a great deal of highly sensitive and personal information to the Board, we endeavour to remove detail from these summaries which could identify the victim even where the case involved a public hearing.

1003-83512 - Assault

The Applicant, in her late 40's, was assaulted by three male strangers as she was walking towards a public transit station. The three men pushed her down to the ground and struck her on her face, neck and upper back area. They then stole her purse and fled from the area. The police searched the surrounding area but were unable to locate the suspects and never recovered the stolen purse. The Applicant was transported by ambulance to the hospital where she was treated for her injuries. She experienced a fracture to her cheek bone and right orbital bone as well as bruises. The Applicant also suffered symptoms of post-traumatic stress disorder. She cried for several weeks and was fearful of living in her community.

Decision: The Board found the Applicant eligible for compensation and awarded her $3,500.00 for pain and suffering in respect of her physical and psychological injuries. She was also awarded $120.00 for medical expenses.

1002-82610 - Assault

The Applicant brought a claim on behalf of her son, a minor, who was physically assaulted by his schoolmate. Without provocation, the Young Offender punched the Minor Child in the mouth and jaw area. The Minor Child's jaw was broken requiring it to be wired shut for six weeks. During his recovery, he could not eat any solid foods and lived on protein drinks. Following the assault, the Minor Child did not trust adults or teachers at his school. He did not participate in school sports or other activities. The Young Offender was charged and convicted of Assault Causing Bodily Harm.

Decision: The Board found the Minor Child compensable and awarded him $4,500.00 for his pain and suffering. This portion of the award was made payable to the Accountant of the Superior Court of Justice for the benefit of the Minor Child until he turns 18 years old. The Applicant was awarded $118.35 in expenses she incurred associated with the Minor Child's injuries.

0012-24209 – Aggravated Assault

The Applicant was walking through a park when he noticed that a woman was being assaulted by two men. When he asked them to stop, they turned their attention to him and punched him in the face several times. He eventually got away and started running down the street but the two men caught up with him. They then struck him repeatedly about the head and face with a 2 x 4 piece of lumber which was approximately 4 feet long. He was also punched several times in the head. Witnesses observed the beating and called the police. The Applicant was transported by ambulance to the hospital where he was treated for his injuries. Several of his facial bones were fractured and he also had an optic nerve injury. He was then transferred to another hospital for exploratory surgery on his eye and surgery to repair his facial fractures. The Applicant ultimately lost vision in his left eye permanently which affected his daily activities. The assailants were never apprehended by the police. As a result, no charges were laid in respect of the assault.

Decision: The Board found the Applicant compensable and awarded him $15,000.00 for pain and suffering. He was also awarded $100.00 for his loss of wages to attend the hearing.

0810-73586 – Assault

The 52-year-old Applicant was physically assaulted at a men's shelter. He woke up as another man began to punch him in the face repeatedly. The Alleged Offender quickly ran away afterwards and there were no witnesses. The Applicant got out of bed and grabbed a towel to wipe the blood from his face. He was taken to hospital by ambulance where he received treatment and was kept overnight. The Applicant reported the incident to the police approximately 12 days later but they were unable to complete their investigation as they could not subsequently locate the Applicant to obtain more information. Also, the Applicant made no mention of the assault to the police when he was apprehended for a possible theft charge only a few days after the incident was reported to the police. The police did not have sufficient information to lay a charge or pursue an investigation as the Applicant never provided them with a statement. The Applicant claimed that he suffered severe headaches and blackouts as a result of the assault.

Decision: The Board did not find the Applicant compensable since there was insufficient evidence to conclude, on a balance of probabilities, that he was injured as a result of a crime of violence. The Board found several inconsistencies in the Applicant's account of the incident and as a result, his evidence was found to be unreliable. Further, the Applicant failed to report the incident to the police until 12 days later and never gave the police a statement even though he had the opportunity to do so when he was apprehended on an unrelated matter.

1003-83011 - Historical Child Sexual Abuse

The Applicant is the father of a minor, and brought the application as a result of sexual abuse of his daughter at the hands of her maternal uncle between the ages five and 11. The Offender initiated the assaults when he too was a minor but continued after he turned 18. The Offender fondled the Minor Child and asked her to perform oral sex on him. The Minor Child told the police that she did not tell her parents because the Offender threatened to slap her. She also told police that her grandfather had found out about the abuse at some point and punished the Offender for it. The Offender was charged and found guilty of multiple counts of Sexual Assault, Sexual Interference and Invitation to Sexual Touching. He was sentenced to 490 days in custody and three years probation.

Decision: Given the convictions, the Board accepted that the crimes of violence had occurred over a period of six years and that they had a traumatic impact on the Minor Child. The Minor Child suffered from nightmares, flashbacks, anxiety, trust issues, was socially withdrawn and was fearful of males. The Board awarded the Minor Child $9,000.00 for pain and suffering. The

award was made payable to the Accountant of the Superior Court of Justice for the benefit of the Minor Child until she turns 18 years old.

0108-28443 – Domestic Assault

The female Applicant sought compensation as a result of being physically and sexually assaulted by her former husband during the course of their 13-year marriage. The Alleged Offender threw objects at the Applicant and also slapped, punched and kicked her on several occasions. He forced sexual intercourse on her by pinning her down with his knees. The Applicant estimated the physical and sexual assaults occurred approximately two times each week during the course of their marriage. After the Applicant left the marriage, the Alleged Offender started to harass her by sitting outside her house and watching her in contravention of a peace bond that he was not to come onto her property. One evening, he broke into her home and threatened to kill himself and to harm her. Over the years, the Applicant had black eyes, a concussion, broken fingers, bruises all over her body, and chronic back pain as a result of being struck in the back with objects and from being dragged up the stairs while on her back. The Applicant did seek medical treatment for her injuries. However, she never reported the cause of her injuries to her doctor as the Alleged Offender always accompanied her to her medical appointments. The Applicant suffered from depression, anxiety and had difficulty sleeping. She was fearful and became socially withdrawn as a result of the assaults.

Decision: The Board found that the Applicant suffered both physical and psychological injuries as a result of the domestic violence. The Board made a global assessment of the cumulative impact of the assaults and awarded her $16,000.00 for pain and suffering.

0610-61721 – Domestic Assault

The 25-year-old female Applicant was physically and sexually assaulted on multiple occasions by her former boyfriend whom she described as very controlling. He isolated the Applicant from her friends and family by not allowing her to keep in touch with them. He would show up at her work unannounced and would embarrass her in front of her colleagues. He threatened to kill the Applicant if she ever left him. The Applicant was subjected to pushing, shoving, slapping, choking, twisting her arms, and slamming her head against walls. She had several bruises, cuts, bloody noses, neck marks, sore limbs and pain all over her body as a result of the physical assaults. The Alleged Offender frequently sexually assaulted her causing pain and bleeding. After the relationship ended, the Applicant continued to experience nightmares, anxiety, depression,

flashbacks and fear. She has been receiving counselling from a psychologist to assist her with her symptoms.

Decision: The Board found the Applicant eligible for compensation as a result of multiple incidents of physical and sexual assaults. The Board awarded her $12,000.00 for pain and suffering as a result of her cumulative injuries that resulted from the abuse. The Board also awarded her $3,798.50 for her counselling expenses and $50.00 for her travel to treatment costs. Her claim for wage loss was denied since she was unable to provide the Board with any documentation to support this aspect of her claim.

0808-72778 – Murder

This application was brought by the father whose 17-year-old son was murdered. The police confirmed that the deceased did not contribute in any way to the incident. The accused was charged with first degree murder.

Decision: The Board awarded the Applicant $4,210.50 for funeral expenses and $2,400.00 for bereavement counselling expenses.

0703-64256 – Murder

The Applicant brought an application after her 21-year-old son was kidnapped and murdered. The police investigation revealed that the deceased was in a drug transaction between two groups of men. The deceased was to deliver a package containing $52,000.00 in cash and in exchange, he was to be given 1.5 kilos of crack cocaine. While there was some money inserted on the top and bottom of the package, in between was ripped up newspaper. Once the deceased arrived at the location with the cash, the men started to count the money immediately. They quickly discovered that there was not enough money to pay for the drugs and became furious. They held the deceased at gunpoint and demanded that he come up with the rest of the money. However, none of his friends came to his aid with any funds. The deceased was shot five times by one of the men. The Offender was found guilty of first degree murder and received a life sentence. The other men were also convicted of various other charges.

Decision: The Board denied the Applicant's claim. It found that the deceased's behaviour contributed significantly to the events leading up to his death. He was involved in an illicit drug transaction involving a large amount of crack cocaine. The Board found that the death was a consequence of the deceased's involvement with a dangerous group of individuals and his direct involvement with a serious drug transaction.

CONTACT INFORMATION

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